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[Additional Counsel Listed on Signature Page]

CASE NO. 3:07-CV-04578-SI

2. This order (the "Order") shall apply to the Action and to each case that relates to the same subject matter that is subsequently filed in this Court or is transferred to this Court and is consolidated with the Action. A party that objects to such consolidation, or to any other provision of this order, must file an application for relief from this order within 14 days after the date on which a copy of the order is mailed to the party's counsel pursuant to ¶ 5, *infra*.

3. The parties shall file a Notice of Related Cases pursuant to Civil L.R. 3-12 whenever a case that should be consolidated into this action is filed in, or transferred to, this District. If the Court determines that the case is related, the clerk shall:

- (a) place a copy of this order in the separate file for such action;
- (b) serve of plaintiff's counsel in the new case a copy of this order;
- (c) direct that this order be served upon defendants in the new case; and
- (d) make the appropriate entry in the *Rudolph* action Docket.

4. Class member James R. Bartholomew is appointed to serve as Lead Plaintiff in the above-captioned action pursuant to 15 U.S.C. §78u-4(a)(3)(B).

5. Finkelstein Thompson LLP is hereby approved as Lead Counsel for the Class. Lead Counsel shall have the authority to speak for all plaintiffs and class members in all matters regarding the litigation including, but not limited to, pre-trial proceedings, motion practice, trial and settlement, and shall make all work assignments in such a manner as to facilitate the orderly and efficient prosecution of this litigation and to avoid duplicative or unproductive effort.

Additionally, lead counsel shall have the following responsibilities:

- a. to brief and argue motions;
- b. to initiate and conduct discovery, including, without limitation, coordination of discovery with defendants' counsel, the preparation of written interrogatories, requests for admissions, and requests for production of documents;
- c. to direct and coordinate the examination of witnesses in depositions;
- d. to act as spokesperson at pretrial conferences;

1 e. to call and chair meetings of plaintiffs' counsel as appropriate or necessary  
2 from time to time;

3 f. to initiate and conduct any settlement negotiations with counsel for  
4 defendants;

5 g. to provide general coordination of the activities of plaintiffs' counsel and to  
6 delegate work responsibilities to selected counsel as may be required in such a manner as to lead  
7 to the orderly and efficient prosecution of this litigation and to avoid duplication or unproductive  
8 effort;

9 h. to consult with and employ experts;

10 i. to receive and review periodic time reports of all attorneys on behalf of  
11 plaintiffs, to determine if the time is being spent appropriately and for the benefit of plaintiffs, and  
12 to determine and distribute plaintiffs' attorneys' fees; and

13 j. to perform such other duties as may be expressly authorized by further  
14 order of this Court.

15  
16 IT IS SO ORDERED.

17  
18 DATED: \_\_\_\_\_

\_\_\_\_\_  
19 U.S. District Judge Susan Illston